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7 Attorneys for Defendants
E.K. McDaniel and Brian Williams Sr.
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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 KENWON MONTGOMERY

12 Plaintiff,

13 vs.

14 NEVADA DEPARTMENT OF
15 CORRECTIONS, INTERIM DIRECTOR
16 E.K. MCDANIEL, individually and in his
17 official capacity; SOUTHERN DESERT
18 CORRECTIONAL CENTER, WARDEN
19 BRIAN WILLIAMS, individually and in
his official capacity; CORRECTIONS
OFFICER TRAINEE CARESSE PIERRE,
individually and in her official capacity;
DOES I-X, inclusive; and ROES I-X
inclusive,

20 Defendants.

CASE NO. 2:16-cv-00290-APG-CWH

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

21 Plaintiff, Kenwon Montgomery, appearing by and through counsel, Alexis Plunkett,
22 Esq., and Defendants E.K. McDaniel, Brian Williams, Nevada Department of Corrections,
23 and Southern Desert Correctional Center, by and through counsel, Adam Paul Laxalt,
24 Nevada Attorney General, Frank A. Toddre II, hereby stipulate and agree, pursuant to
25 FED. R. CIV. P. 41 (a)(2), that the above-captioned action should be dismissed with prejudice
26 by order of this Court.

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1 This Stipulation for Dismissal with Prejudice is executed as part of a settlement
2 between the parties. That in addition to this Stipulation, Plaintiff will submit a Notice of
3 Voluntary Dismissal as to Defendant Caresse Pierre. Pursuant to the terms of the
4 Settlement Agreement and Full and Final Release, each party will bear its own attorneys'
5 fees and costs.

6 DATED this 1st day of December, 2016

7

DATED this 1st day of December, 2016

8 LAW OFFICE OF ALEXIS PLUNKETT

9

ADAM PAUL LAXALT
Nevada Attorney General

10 By: /s/ Alexis Plunkett
11 Alexis A. Plunkett, Esq.
Nevada Bar No. 11245
12 2657 Windmill Parkway #613
Henderson, Nevada 89074
13 Attorney for Plaintiff
Kenwon Montgomery

14

15 By: /s/ Frank A. Toddre II
Frank A. Toddre II, Esq.
Nevada Bar No. 11474
555 E. Washington Ave., Ste. 3900
Las Vegas, NV 89101
16 Attorneys for Defendants
E.K. McDaniel and Brian Williams

ORDER

17 This matter comes before the Court on the parties' Stipulation for Dismissal with
Prejudice. The Court has examined the Stipulation for Dismissal with Prejudice as agreed
18 by the parties hereinabove, good cause having been shown,

19 IT IS THEREFORE ORDERED that this cause of action is dismissed with prejudice with
20 each party bearing its own attorneys' fees and costs.

21 DATED this 2nd day of December, 2016.

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24 UNITED STATES DISTRICT JUDGE